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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF WYOMING**

In re: )  
POWELL VALLEY HEALTH CARE, ) Case No.: 16-20326  
INC., ) Chapter 11  
Debtor. )  
                )

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**DEBTOR'S BALLOT REPORT**

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Powell Valley Health Care, Inc. (the “Debtor”) hereby submits this Ballot Report with respect to the Debtor’s *Amended Chapter 11 Plan of Reorganization dated September 26, 2017* [Doc. 656] (the “Plan”), and informs the Court as follows:

Attached hereto as Exhibit A is a spreadsheet summarizing the results (the “Ballot Results”) derived from the voting on the Plan. As the Court will note from the Ballot Results, undersigned counsel for the Debtor received 47 ballots from holders of claims.

**A.      Class 1: Priority Claims (Accepted)**

Holders of Claims in Class 1 (Priority Non-Tax Claims) are unimpaired under the Plan and, therefore, are conclusively presumed to accept the Plan pursuant to § 1126(f) of the Bankruptcy Code.

**B.      Class 2: Secured Claims (Accepted)**

Holders of Claims in Class 2 have voted to accept the Plan because, of the creditors voting on the Plan, at least two-thirds in amount and more than one-half in number of such claims in Class 2 have voted to accept the Plan. *See 11 U.S.C. § 1126(c).* More specifically, the First Bank of Wyoming – the holder of the two Class 2 Claims – voted both of its claims (presumably, the only secured claims in the case) in favor of the Plan.

C. Class 3: Trust Personal Injury Claims (Accepted)

Holders of Claims in Class 3 have voted to accept the Plan because, of the creditors voting on the Plan, at least two-thirds in amount and more than one-half in number of such claims in Class 3 have voted to accept the Plan. *See 11 U.S.C. § 1126(c).* More specifically, thirty-one of the thirty-two votes cast from Class 3 voted in favor of the Plan and these creditors hold \$31,000,000 of \$33,000,000 in claims. One creditor voted against the Plan with an alleged claim of \$2 million. However, the creditor voting against the Plan does not have an “allowed” claim for voting purposes. The rejecting creditor, Peggy Jo Werbelow, did not file a timely claim and thus her claim is not “allowed” for voting purposes pursuant to 11 U.S.C. §§ 502(b)(9) and 1126(a). Irrespective of the foregoing, upon information and belief, Peggy Jo Werbelow has expressed her willingness to be bound by the Plan.

D. Class 4: Trade Claims (Accepted)

Holders of Claims in Class 4 have voted to accept the Plan because, of the creditors voting on the Plan, at least two-thirds in amount and more than one-half in number of such claims in Class 4 have voted to accept the Plan. *See 11 U.S.C. § 1126(c).*

More specifically, all of the six votes cast from Class 4 voted in favor of the Plan. No Class 4 creditor voted to reject the Plan.

E. Class 5: Reimbursement, Contribution and Indemnity Claims (Accepted)

Holders of Claims in Class 5 have voted to accept the Plan because, of the creditors voting on the Plan, at least two-thirds in amount and more than one-half in number of such claims in Class 5 have voted to accept the Plan. *See 11 U.S.C. § 1126(c).*

More specifically, all of the four votes cast from Class 5 voted in favor of the Plan. No Class 5 creditor voted to reject the Plan.

F. Class 6: Subordinated Claims (No Votes)

No claims falling within Class 6 have voted in regard to the Plan, and no creditors holding such claims have objected to the Plan. Upon information and belief, no creditors of the Debtor exist that hold “Allowed Subordinated Claims.”

G. Class 7: Covered Claims (Accepted)

Holders of Claims in Class 7 have voted to accept the Plan because, of the creditors voting on the Plan, at least two-thirds in amount and more than one-half in number of such claims in Class 5 have voted to accept the Plan. *See 11 U.S.C. § 1126(c).*

More specifically, all of the three votes cast from Class 7 voted in favor of the Plan. No Class 7 creditor voted to reject the Plan.

H. Class 8: Other Unsecured Claims (No Votes)

No claims falling within Class 8 have voted in regard to the Plan, and no creditors holding such claims have objected to the Plan. Pursuant to the Court’s *Order Scheduling Confirmation Hearing, Establishing Confirmation Procedures, Setting Deadline for*

*Filing Tardy Claims and Fixing Time for Filing Acceptances or Rejections of Amended Plan and Notice of Hearing* (Docket No. 714), a Class that contains claims entitled to vote but for which no votes are returned is deemed to have accepted the Plan.

Dated: Cheyenne, Wyoming  
January 12, 2018

MARKUS WILLIAMS YOUNG AND  
ZIMMERMANN LLC

By: /s/ Bradley T. Hunsicker  
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Counsel for the Debtor-in-Possession

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 12<sup>th</sup> day of January, 2018, by placing a copy in the U.S. mail, first class postage prepaid upon those parties identified on the mailing matrix attached hereto at Exhibit B.

/s/ Bradley T. Hunsicker  
Bradley T. Hunsicker